



RCRA Permitting

*Permit and Permit
Application Process*



What is a RCRA Permit?

A legally binding document that establishes:

- the hazardous waste management activities that a facility can conduct, and,
- the conditions under which it can conduct them.



Purpose of a RCRA Permit

- Establish administrative and technical conditions under which hazardous waste must be managed.
- Provide legal authority to treat, store, or dispose of hazardous waste.
- Provide appropriate guidelines for proper management and/or remediation of hazardous waste.



Who is required to obtain a RCRA Permit?

- Anyone who plans to treat, store, or dispose of hazardous waste.
- Anyone who currently manages hazardous waste due to past facility operations/practices (e.g. landfill closed with hazardous constituents remaining)
- Anyone who transports hazardous waste and/or used oil.



Generator Requirements

Generators of hazardous waste may not be required to obtain a RCRA permit if the following conditions apply:

- Annual Notification (Form 8700-12)
- Only manage hazardous waste generated on-site
- No on-site storage > 90 days (180 days for SQG)
- No treatment is allowed except as outlined in ADEM Admin. Code r. 335-14-8
- No on-site disposal



Types of RCRA Permits

- Operating treatment, storage, and/or disposal (TSD) Permit
- Emergency Permit
- Research, Development, and Demonstration (RD&D) Permit
- Hazardous and Solid Waste Amendments (HSWA) only Permit
- Post-Closure Permit
- Transporter Permit



TSD Permits

- Required prior to the treatment, storage, or disposal of hazardous waste.
- Special Forms of TSD Permits:
 - Emergency Permit
 - Short term permit to allow treatment, storage, or disposal of hazardous waste when an imminent and substantial endangerment to human health or environment exists.
 - Research, Development, and Demonstration (RD&D) Permit
 - Short term permit for treatment facilities which propose to use an innovative and experimental hazardous waste treatment technology, for the purpose of evaluating and demonstrating the viability of the technology.



Post-Closure Permit

Required for owners or operators of surface impoundments, landfills, land treatment units, and waste pile units that:

- Received wastes after July 26, 1982, or,
- Certified closure after January 26, 1983, and,
- Who are unable or unwilling to close their units by removing all wastes, wastes residues, and contaminated media.



Transporter Permits

- Required prior to the transport of hazardous waste and/or the transport of used oil in or through the state of Alabama.
- Does not apply to transport by rail.
- Hazardous waste transporter permit will satisfy permit requirements for transport of used oil provided applicable regulations regarding used oil transport are followed.



How to obtain a RCRA TSD Permit

- Submit a complete permit application consisting of two parts:
 - Part A
 - Part B



Part A RCRA Permit Application

- Consists of EPA Form 8700-23 (located on ADEM web page)
- Includes the following information:
 - Facility contact and location information.
 - Processes to be used for treatment, storage, and disposal of hazardous waste.
 - The design capacity of treatment, storage, and disposal processes.
 - Specific hazardous wastes to be managed at the facility.



Part B RCRA Permit Application

- Narrative application which includes detailed design specifications and operating plans for the proposed facility.
- Consists of the following general components:
 - General description of the facility
 - Chemical and physical analyses of the waste proposed to be managed
 - Waste Analysis Plan



Part B Application (continued)

- Security Plan
- Inspection schedule
- Description of any requested waivers to any facility standards
- Contingency Plan
- General waste handling procedures
- Special procedures for handling ignitable, reactive or incompatible wastes
- Facility traffic patterns



Part B Application (continued)

- Detailed facility location information and drainage/flood control procedures, equipment and structures
- Training Plan
- Closure Plan (operating and proposed units only)
- Post-Closure Plan (land disposal units only)
- Documentation of post-closure notices
- Closure cost estimate



Part B Application (continued)

- Post-closure cost estimate
- Copy of the liability insurance policy
- A detailed topographic map of the proposed facility and surrounding 1000 foot radius
- A summary of the pre-application meeting, list of attendees and addresses, and copies of any written comments or materials submitted at the meeting (only applies to Operating TSD facilities).
- Detailed groundwater information and data (land-based units only)



Part B Application (continued)

- Groundwater monitoring system design specifications and sampling/analysis plan (land-based units only)
- A detailed Corrective Action Plan or Corrective Measures Implementation Plan which describes the systems to be installed and procedures to be followed to address contaminated soils, groundwater, air, or surface water resulting from present or past waste management activities.



Part B Application (continued)

- In addition to the general requirements, other information is required relating to the specific treatment, storage, or disposal units being proposed (tank storage, container storage, landfills, etc).



RCRA Permit Fees

- Administrative fee covers processing of permit and application.
- Fee amount varies depending on type and complexity of proposed permit.
- Additional fees will be assessed if modifications to the RCRA permit are necessary.



RCRA Permitting Timeline

- A RCRA permit (TSD, Post-Closure) can take from 1 to 4 years to complete (variation due to quality of initial application and complexity of facility).
 - Processing (draft permit, public notice, response to comments) typically requires 4 to 6 months from receipt of a complete and technically adequate application.
- Transporter permits are typically issued within 30 days from receipt of a complete application.



Duration of a RCRA Permit

- A RCRA permit (TSD, Post-Closure) is issued for a period of up to 10 years.
 - Exception: Permits which include operating landfills are issued for a period of up to 5 years.
- A transporter permit is issued for a period of 3 years.



Common Deficiencies in RCRA Permit Applications

- All components not submitted.
- Inaccurate information.
- Incomplete information.
- Information not in accordance with ADEM regulations (i.e. action plans, design specifications, etc.).



How to avoid common deficiencies

- Request a copy of the permit application checklist.
- Review applicable ADEM regulations.
- Review relevant guidance documents located on ADEM's website.
- Communicate with the ADEM project manager prior to application submittal and throughout the process.

adem.alabama.gov



How to expedite the review process

- If unsure, clarify with the ADEM project manager how to address noted deficiencies.
- Submit red-line strikeout version of the revised application along with the clean copy.
- Only resubmit revised pages.



Questions?

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